

# Constitution

## Part 2: Articles of the Constitution

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### Article 6: Scrutiny Committees

#### 6.1 Terms of Reference

The Council will appoint Scrutiny Committees to discharge the functions conferred by Section 21 of the Local Government Act 2000. The allocation of specific areas of work and the Cabinet Portfolios overseen will be determined by the Council. The detailed Terms of Reference of the Scrutiny Committees is set out in Part 3 of the Constitution

#### 6.2 Form and Composition

- I. The scrutiny committee will comprise a Chair, appointed by the Council, together with other members of the Council allocated in proportion by the political groups.
- II. Proportionality shall apply to the appointment of Chairs of Scrutiny Committees.
- III. Proportionality shall apply to the composition of the Committees.
- IV. The Council shall appoint the Chair and, if considered appropriate a Deputy Chair. In the absence of the Chair and any appointed Deputy, the Chair shall be taken by a Member of the Committee as elected by the Committee by a simple majority ballot.
- V. The Scrutiny Committees may co-opt permanent or temporary members as they deem appropriate. The Committee that considers matters relating to the Education service shall appoint members as required by legislation to attend and vote on issues relating only to the education service.
- VI. The Scrutiny Committees may also invite others to provide expert guidance or advice or make representations on specific issues or hold special public meetings where they wish to canvass public opinion on certain issues.

#### 6.3 General Role

Within their Terms of Reference, Scrutiny Committees will:

- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- make reports and/or recommendations to the Cabinet, individual Cabinet Member or the Council in relation to policy development and the Framework documents identified above.
- consider any matter affecting the area or its inhabitants; and
- Act in accordance with the rules of procedure.

## **6.4 Specific Functions**

### **6.4.1 Policy Development and Review**

Scrutiny Committees may:

- Assist the Council and the Cabinet in the development of its budget and policy framework;
- Assist the Cabinet or Cabinet Members by way of consultation prior to the taking of decisions, as deemed appropriate by the Cabinet or Cabinet Member.
- conduct research, community and other consultation as considered appropriate by the Committees in the analysis of policy issues and possible options;
- consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- question members of the Cabinet, and/or Committees and Corporate Directors and Heads of Service about their views on issues and proposals affecting the area;
- liaise with other external organisations operating in the area, whether national, regional or local, to ensure that collaborative working enhances the interests of local people.

### **6.4.2 Scrutiny**

Scrutiny Committees may:

- review and scrutinise the decisions made by and performance of the Cabinet and its individual members and/ Council officers both in relation to individual decisions and generally over a period of time;
- review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- question members of the Executive and/or committees and Heads of Service about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- make recommendations to the Cabinet or individual Cabinet Members and/or appropriate committees and/or Council arising from the outcome of the scrutiny process;
- review and scrutinise the performance of other public bodies, including the Public Services Board, in the area and invite reports from them by requesting them to address the Committee about their activities and performance; and
- question and gather evidence from any person (with their consent).

### **6.4.3 Governance and Audit Committee**

The Council will appoint an Governance and Audit Committee and appoint Councillors and lay member(s) in accordance with the requirements of the Local Government (Wales) Measure 2011.

The terms of reference of the Governance and Audit Committee are set out in Part 3 Appendix 1 of the Constitution.

### **6.4.4 Annual Report**

Scrutiny Committees must report annually to full Council on their work.

## **6.5 Proceedings of Scrutiny Committees and the Governance and Audit Committee**

Scrutiny Committees and the Governance and Audit Committee will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.